

**ATTACHMENT 5**



**SPECTRUM COMMUNICATIONS**  
**CABLING SERVICES, INC.**

April 7, 2003

*Sent Via Facsimile & Federal Express Overnight Delivery*

Mr. Scott Barash, Esq.  
Universal Service Administrative Company  
2120 L Street NW, Suite 600  
Washington, DC 20037

Dear Mr. Barash:

We were recently informed that the USAC representative conducting an inquiry into the selection process used by our customers for eRate program Year 5 has indicated that the selection of Spectrum Communications may have been improper under state and local procurement rules. Specifically, the representative suggested that our customers' use of California Multiple Award Schedules (CMAS) was improper because the customers did not receive at least 3 CMAS bids before awarding a contract to Spectrum Communications. This is a misrepresentation of both the current requirements regarding CMAS as well as the requirements in existence at the time our customers selected Spectrum Communications.

While it is true that California Department of General Services Management Memo 02-12 and Management Memo 02-19 do require the solicitation of three bids when using CMAS for purchases in excess of \$100,000, it is abundantly clear that both of these memoranda were issued *after* our customers completed their vendor selection process for Year 5. All of our contracts for Year 5 were signed on or before January 17, 2002. Whereas, Management Memo 02-12, Management Memo 02-19 and underlying Executive Order D-55-02 were issued on May 28, 2002, August 20, 2002, and May 20, 2002, respectively. Consequently, the Executive Order and the memoranda are inapplicable to all procurements that occurred prior to May 20, 2002.

Moreover, even if the contracts for Year 5 had been signed after May 20, 2002, neither the Executive Order, nor Management Memo 02-12, nor Management Memo 02-19 would apply to the eRate contracts between Spectrum Communications and its customers. In June, 2002, the Procurement Division of the California Department of General Services issued Bulletin 33 which specifically exempts K-12 schools from Executive Order D-55-02 and Management Memo 02-12. On October 7, 2002, the Procurement Division issued Bulletin 35 which specifically exempts K-12 schools from Management Memo 02-19. Consequently, the restrictions imposed in the Executive Order and the memoranda do not apply to contracts awarded by K-12 schools irrespective of the date of award.

Lastly, the USAC representative raised the issue of "canned" responses by our customers to inquiries in the USAC selective review questionnaire. Specifically, the representative's inquiry suggested that since many of our customers' responses contained the statement that

California Public Contract Code allows the selection of Spectrum Communications "without further competitive bidding" a violation of the program rules may have occurred. While we are aware of SLD rules prohibiting vendor assistance with the Form 470 process, neither we nor our customers are aware of any prohibition against vendor assistance with the selective review process.

We are also unaware of any rationale, similar to that underlying the prohibition against participation in the Form 470 process, which would suggest that it is improper for a vendor to assist in responding to selective review inquiries. For example, it is clear that vendor participation in the Form 470 process would undermine the fairness of the selection process, but it is not clear how vendor participation in responding to the selective review inquiry would undermine the selection process or the integrity of the review. In fact, it is often difficult, if not impossible, for our customers to respond thoroughly to the selective review inquiries without our assistance. This is particularly true in light of the 14-day deadline that was imposed.

More importantly, however, it should be noted that the phrase "without further competitive bidding" is taken directly from the statute permitting the use of CMAS. California Public Contract Code section 10299(a) states, in part, "[s]tate agencies and local agencies may contract with suppliers awarded the contracts without further competitive bidding." The selective review inquiry received by each of our customers asked, in part, for a description of the process used to select Spectrum Communications. Our customers, with our assistance, interpreted this as a request for justification for *not* using the competitive bidding (request for proposal) process that is often used in public procurement. Consequently, each of our customers cited the state statute that authorized the award of a contract without using the RFP process.

In light of the foregoing, it seems apparent that there is no basis for suggesting any impropriety by Spectrum Communications nor its customers with respect to the use of CMAS. While I appreciate USAC's need to determine no improprieties have occurred, it is imperative that USAC conduct its inquiry expeditiously and with discretion. Both the delay in completing the inquiry and the suggestions by the USAC representative have a harmful effect on our customers and our business.

I have enclosed a copy of Bulletin 35 for your review. The other documents referenced in this letter can be found at [www.dgs.ca.gov/pd](http://www.dgs.ca.gov/pd). Please contact me immediately if you have any questions or require any additional information. Thank you for your prompt attention to this matter.

Sincerely,



Pierre Pendergrass, Esquire  
General Counsel



## PROCUREMENT DIVISION

The Ziggurat, 707 Third Street, Second Floor • West Sacramento, California 95605 • (916) 375-4400

### California Multiple Award Schedule (CMAS)

Bulletin 35

October 7, 2002

**This bulletin supersedes Bulletin 34. Material changes are highlighted in bold.**

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**Management  
Memo 02-19**

This bulletin serves to clarify interim guidelines that apply to the CMAS program and does not take precedent over **Management Memo (MM) 02-19, Revision 1 (supersedes MM 02-12 and Addenda)**. This bulletin must be reviewed carefully by all state agencies.

All of these documents can be found on the Department of General Services (DGS), Procurement Division (PD) web site: [www.dgs.ca.gov/pd](http://www.dgs.ca.gov/pd).

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**Exempt  
Entities**

Local government entities are exempt from **MM 02-19, Revision 1**, but are subject to their own respective local government laws and procedures. A local government is any city, county, city and county, district, or other local governmental body or corporation, including the California State University (CSU) and University of California (UC) systems, K -12 schools and community colleges, empowered to expend public funds.

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**Exempt  
Categories**

**Exempt categories are identified in MM 02-19, Revision 1, Attachment C and D.**

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**Not  
Specifically  
Priced (NSP)  
Items**

The Not Specifically Priced (NSP) Items provision enables the agency to include in the purchase order non-contract products and services that are subordinate and peripheral to the order items. See CMAS Agency Information Packet, Section 12, for applicable parameters. The cost of the NSP item(s) is included in the order limits.

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**Excluded from  
Dollar Limits**

Tax, freight and finance charges (if applicable) are excluded from the dollar limits.

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**Contract  
Changes**

DGS/PD approval is required for changes to model contract terms and conditions. State agencies must send requests for changes to model contract terms and conditions to the Department of General Services, Procurement Division, Contract Negotiations Unit, 707 Third Street, Second Floor, West Sacramento, CA 95605 (IMS #Z-1).

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**California Multiple Award Schedule (CMAS)**  
**Bulletin 35**  
**October 7, 2002**

**Order Limits  
and Minimum  
Solicitation  
Procedures**

**(\$250,000 and  
\$100,000 or  
Less)**

**CMAS Purchases \$250,000 or Less for Information Technology (IT) Goods and Services and Non-Information Technology Services and \$100,000 or less for Commodities (Non-IT Products):**

- State agencies must solicit and obtain offers from 3 suppliers including 1 small business if available. This is not a competitive bid transaction so small business preference, protest language, intents to award, evaluation criteria, advertising, etc. are not applicable.
- If less than 3 offers received, document files with solicitation method used.
- If only one source is known (competing offers cannot be obtained), the non-competitive bid contract process must be followed. See MM 02-19, Revision 1, Attachment B.
- Evaluation and award may be based on best value, as applicable, and not restricted to lowest cost.

**Order Limits  
and Minimum  
Solicitation  
Procedures**

**(Greater than  
\$250,000 for IT  
Goods and  
Services)**

**CMAS Purchases Greater than \$250,000 for Information Technology (IT) Goods and Services:**

The following is required for state agency CMAS purchase orders \$250,000 to \$500,000:

- State agencies must solicit and obtain offers from 3 suppliers including 1 small business if available. This is not a competitive bid transaction so small business preference, protest language, intents to award, evaluation criteria, advertising, etc. are not applicable.
- If less than 3 offers received, documentation of solicitation method used must be included with contract reporting to DGS/PD within 5 days of contract execution. State agencies must use the Notice of Contract Award ([www.dgs.ca.gov/pd](http://www.dgs.ca.gov/pd)) and include purchase orders and attachments as applicable. Submit to the address as indicated on the Notice of Contract Award.
- If only one source is known (competing offers cannot be obtained), the non-competitive bid contract process must be followed. See MM 02-19, Revision 1.
- Approval is required for each transaction by Department Director or next highest-ranking official. For departments or other entities not reporting to an Agency Secretary, approval authority is limited to the highest two ranking executive officials.
- If GS \$Mart is utilized for financing, DGS/PD approval is required before award.
- Evaluation and award may be based on best value, as applicable, and not restricted to lowest cost.

**California Multiple Award Schedule (CMAS)**  
**Bulletin 35**  
**October 7, 2002**

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<b>Non-IT Services Over \$50,000 Require DGS Approval</b>	DGS/PD review and approval is required for non-information technology services orders greater than <b>\$50,000</b> . State agencies must send purchase orders that exceed <b>\$50,000</b> to the Department of General Services, Procurement Division, Contract Negotiations Unit, 707 Third Street, Second Floor, West Sacramento, CA 95605 (IMS #Z-1).
<b>Maximum Order Limits</b>	Exceptions to the above order limits of \$500,000 for IT goods and services, \$250,000 for non-IT services, and \$100,000 for commodity purchases will not be considered or approved.
<b>Different Categories of Products and Services Combined</b>	Purchase orders that combine <b>different categories of products and services</b> are subject to the guidelines applicable for the category that constitutes the majority of the transaction.
<b>Amendments</b>	The total combined cost of the purchase order <u>and</u> all amendments is subject to the guidelines in <b>MM 02-19, Revision 1</b> .
<b>DGS Contacts for Questions.</b>	<p>Additional information and potential changes to the interim guidelines will be published on the Procurement Division web site (<a href="http://www.dgs.ca.gov/pd">www.dgs.ca.gov/pd</a>).</p> <p>See our web site for FAQ (Frequently Asked Questions) regarding the application of the Interim Guidelines.</p> <p>Questions regarding the Interim Guidelines may be forwarded to:</p> <p><u>Marnell Voss, Manager</u> <u>Business Development Unit</u> <u>e-mail: <a href="mailto:marnell.voss@dgs.ca.gov">marnell.voss@dgs.ca.gov</a></u></p>

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CAROL UMFLEET  
CMAS Program Manager

## **DECLARATION**

I, Russell Reshaw, hereby declare the following under penalty of perjury under the laws of the United States of America:

1. I am a Vice President of Spectrum Communications Cabling Services, Inc. d/b/a Spectrum Communications.
2. I have reviewed and am familiar with the foregoing Request for Review to which this Declaration is attached. Except for facts of which the Commission may take official notice, the information contained therein is true and correct to the best of my knowledge, information and belief.

  
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Russell Reshaw

June 19, 2003

**EL MONTE UNIFIED HIGH SCHOOL DISTRICT  
DECLARATION AND EXHIBITS**



## **DECLARATION**

I, Nicasio J. Salerno hereby declare the following under penalty of perjury under the laws of the United States of America:

1. I am the Assistant Superintendent of Educational Services for El Monte Union High School District, in El Monte, California ("EMUHSD").
2. EMUHSD has participated since 1998 in the Schools and Libraries Mechanism ("E-Rate Program"). I have been involved on behalf of EMUHSD in the E-Rate Program since June of 2000. EMUHSD's involvement in the E-Rate Program has allowed our district to install high speed Internet access in most of the classrooms in the District. This helps insure that our students are able to use Online Resources to assist in obtaining the best education possible. Additionally, the savings realized from the program has allowed EMUHSD expand our limited technology budget. During that time, we have requested funding to obtain services from the following vendors: Annixter, Spectrum Communications and Mitel Network Solutions for Internal Connections; Pacific Bell for Telecommunications; Pacific Bell Internet for Internet access; Nextel of California for cellular services; and AT&T and WorldCom for long distance service.
3. On September 14, 2001, EMUHSD submitted its FCC Form 470 seeking competitive bids for telecommunications, internal connections, and Internet services for Funding Year 2002 (Application No. 191580000366126). I am listed as EMUHSD's contact person on the Form 470 Application. EMUHSD's Form 470 Application was posted on September 14, 2001. A copy of EMUHSD's Form 470 is attached.
4. On January 16, 2002, EMUHSD submitted its FCC Form 471 Application for Funding Year 2002 (Application No. 311437), requesting funding to purchase eligible services from various service providers, including Spectrum Communications Cabling Services, Inc. ("Spectrum").
5. On or about May 8, 2002, EMUHSD received from the SLD an E-Rate Selective Review Information Request. EMUHSD received two subsequent written requests from SLD related to the Information Request.
6. On or about June 19, 2002, September 18, 2002, and January 31, 2003, I submitted, on behalf of EMUHSD, written responses to the Information Request and the two follow-up requests. Copies of these responses are attached.
7. On April 22, 2003, the SLD issued a Funding Commitment Decision Letter in which it denied 16 separate Funding Request Numbers (FRNs) associated with EMUHSD's Form 471 Application. For each FRN that was denied, the service provider was Spectrum. The "Funding Commitment Decision" for each FRN is identical, and states: "\$0.00 – Bidding Violation." The "Funding Commitment Decision Explanation" for each FRN also is identical, and states: "Similarities in Internal Connections description on Forms 470 and in description provided to SLD of

the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.” A copy of the Decision is attached.

8. Also on April 22, 2003, the SLD sent to EMUHSD a Further Explanation of Administrator’s Funding Decision. (A copy is attached.) Although the Further Explanation states that the Funding Commitment Decision Letter is “the official action” by SLD and USAC, EMUHSD will address, and seeks review of, both the Funding Commitment Decision Letter and the Further Explanation.

9. As noted above, the Decision, by way of explanation, simply states (1) “similarities” in the internal connections description on Forms 470 “among applicants associated with this vendor,” and (2) “similarities” in the “description ... of the vendor selection process among applicants associated with this vendor.” The Decision does not state what “similarities” were found with respect to either the Form 470 Internal Connection descriptions or the descriptions of the vendor selection process. The Decision also refers to other “applicants associated with this vendor” but does not identify them. Neither my staff nor myself has reviewed any other applicant’s Form 470 or description of its vendor selection process, I have not discussed these matters with any other applicant, and no one else from EMUHSD has discussed these matters with any other applicant.

10. The Further Explanation states: “During the review of your application, USAC became aware of the fact that there were striking similarities in the description of the internal connection services sought on FCC Forms 470 among various applicants later associated with the same service provider.” The internal connection descriptions are contained in EMUHSD’s Form 470, Block 2 (Summary Description of Needs or Services Requested), Item 10 (Internal Connections), which asks applicants to “list ... the Internal Connections Services you seek” and to “[s]pecify each service or function ... and quantity and/or capacity,” and refers applicants to the SLD’s Eligible Services List for examples of eligible internal connections services. In EMUHSD’s Form 470, I listed 95 separate “Service[s] or Function[s]” and specified that each was to be provided at 8 sites.

11. My staff was responsible for compiling the information referred to in EMUHSD’s Form 470 Application. Before I submitted EMUHSD’s Form 470 Application, I instructed my staff to review the sample Form 470 posted on the SLD’s web site. Also, as instructed by the Form 470 instructions, my staff reviewed the Eligible Services List on the SLD web site. In addition, during the months prior to the filing of the 470 my Staff attended several E-Rate conferences hosted by the State of California. A Spectrum employee was a speaker at several of these conferences, and he, along with speakers from other vendors, offered advice as to what items and services were and were not eligible for discounts under the E-Rate Program. This advice, along with advice from other speakers at these conferences, was helpful in our decision as to which services to request on our Form 470. My staff completed the Form 470 using these resources.

12. The competitive bidding process that was triggered by the posting of EMUHSD's Form 470 was fair and open. Spectrum did not control or influence EMUHSD's decision to seek competitive bids on the items listed on our Form 470, and EMUHSD did not surrender control of the competitive bidding and vendor selection process to Spectrum.

13. The Further Explanation states:

USAC selects certain applicants for a Selective Review to ensure that they are following FCC rules relating to, among others, the competitive bidding process. Applicants who are chosen for this review are sent the "E-Rate Selective Review Information Request." As part of this request, applicants are asked to answer certain questions regarding their competitive bidding and vendor selection process. In particular, applicants are asked to:

Please provide complete documentation indicating how and why you selected the service provider(s) selected. This documentation should provide a description of your evaluation process and factors you used to determine the winning contract(s).

The person authorized by the applicant to sign on the applicant's behalf, or the entity's authorized representative, is required to certify that the authorized signer prepared the responses to the Selective Review Information Request on behalf of that entity.

... USAC further ascertained that the responses provided by various applicants associated with [Spectrum] to the portion of the Selective Review questions described above seeking a description of the factors that the applicant used to determine the winning contracts contained identical language.

... Based on the evidence described above, USAC reasonably has concluded that the description of [the competitive bidding] process that you provided to USAC appears to have been prepared by your service provider.

... USAC has concluded that the evidence described indicates that the service provider was improperly involved in the competitive bidding and vendor selection process and that the applicant did not provide the answer to these questions.

14. In other words, my understanding is that according to the Further Explanation, SLD was concerned about the answer I provided on behalf of EMUHSD in response to Item 4 of the Information Request. That response was as follows:

C. Internal Connections – Spectrum Communications was selected by EMUHSD under the CMAS procurement program and other applicable procurement codes. Spectrum Communications provides the most cost-effective product, with the least amount of hassle, and exceeds District requirements for Information Technology projects. Spectrum

Communications understands the Business Operations of EMUHSD, due to the many years that this vendor has been successfully utilized for Information Technology Projects. It is allowable under California Public Contract Code 10299 for EMUHSD to select Spectrum Communications under the CMAS agreement without further competitive bidding.

15. With respect to the certification referred to in the Further Explanation, it states: "I certify that I prepared the responses to this fax."

16. While preparing EMUHSD's responses to the Information Request and SLD's follow up questions, I was not aware of any FCC or SLD prohibition on an applicant discussing with or obtaining information from a service provider to assist an applicant in preparing responses. My dictionary defines the word "prepare" as meaning "to make ready" and I believe that is exactly what I did. I instructed others, including Spectrum, SBC, PB Internet, Nextel, and AT&T, to compile information that I believed responded to the Information Request, and then my staff reviewed that information and confirmed its accuracy. I instructed others to type out that information, and I attested to its accuracy by signing the response to the Information Request. I similarly prepared EMUHSD's two follow up responses to the SLD's additional questions about EMUHSD's competitive bidding and vendor selection process. At my request, Spectrum provided me with information, including information about the California Multiple Awards Schedule. I prepared the responses in good faith and the information I provided is true and correct to the best of my knowledge. Consequently, I believe that I appropriately certified that I prepared the responses to the Information Request. Moreover, all of the information provided by EMUHSD confirms that EMUHSD conducted a fair and open competitive bidding process that complied with FCC and SLD rules and guidelines and California state laws.

17. As a result of the SLD's delay in processing EMUHSD's Funding Year 2002 request, EMUHSD has been forced to delay several technology projects, and is unable to utilize E-Rate monies to expand our limited bond dollars. Our district is presently involved in a district wide modernization project, and the projects budget depends on E-Rate discounts for eligible services. Not having these discounts available will require EMUHSD to pay for these services at the 100% rate, not the planned 14%. The budgetary impact will result in planned projects being cancelled, which will negatively affect our students' educational experience.

18. I have reviewed the Request for Review of the denial by the SLD of EMUHSD's Form 471 Application for Funding Year 2002, to which this Declaration is attached. I am authorized by EMUHSD to state that EMUHSD supports and joins in the Request for Review to the extent that it seeks review of the denial of EMUHSD's Funding Year 2002 requests.

19. The foregoing is true and correct to the best of my knowledge, information, and belief.

Nicasio J. Salerno  
Nicasio J. Salerno

Date: 6/17/03

**EL MONTE DISTRICT EXHIBIT 1**

# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814167  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 01365  
Billing Account Number: NA  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$540000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$540000.00  
Total Program Year Pre-Discount Amount: \$540000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814203  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST.  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 00439  
Billing Account Number: NA  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$675000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$675000.00  
Total Program Year Pre-Discount Amount: \$675000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003



# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814225  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST.  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 01364  
Billing Account Number: NA  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$1035000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$1035000.00  
Total Program Year Pre-Discount Amount: \$1035000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814256  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST.  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 01365  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$120000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$120000.00  
Total Program Year Pre-Discount Amount: \$120000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814277  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST-  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 00439  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$150000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$150000.00  
Total Program Year Pre-Discount Amount: \$150000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814294  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST-  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 01364  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$230000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$230000.00  
Total Program Year Pre-Discount Amount: \$230000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814322  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST.  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 01365  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$396000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$396000.00  
Total Program Year Pre-Discount Amount: \$396000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814356  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 00439  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$495000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$495000.00  
Total Program Year Pre-Discount Amount: \$495000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814380  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 01364  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$759000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$759000.00  
Total Program Year Pre-Discount Amount: \$759000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003

# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814391  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhdsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 01365  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$144000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$144000.00  
Total Program Year Pre-Discount Amount: \$144000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003



# FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.  
Service Provider Identification Number: 143010165

Funding Request Number: 814402  
Form 471 Application Number: 311437  
Form 470 Application Number: 191580000366126  
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST-  
Applicant Street Address: 3537 JOHNSON AVE  
Applicant City: EL MONTE  
Applicant State: CA  
Applicant Zip: 91731-3290  
Entity Number: 143586  
Name of Contact Person: Garrett McKay  
Preferred Mode of Contact: EMAIL  
Contact Information: gmckay@emuhsd.org  
Funding Year: 2002 (07/01/2002 - 06/30/2003)  
Funding Status: Not Funded  
Contract Number: 00-01-02/03 YEAR 5  
Services Ordered: Internal Connections  
Site Identifier: 06 12120 00439  
Billing Account Number: N/A  
Allowable Vendor Selection/Contract Date: 10/12/2001  
Contract Award Date: 11/07/2001  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 09/30/2003  
Monthly Recurring Charges: \$0.00  
Portion of Monthly Recurring Charges that is Ineligible: \$0.00  
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00  
Annual Non-Recurring Charges: \$180000.00  
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$180000.00  
Total Program Year Pre-Discount Amount: \$180000.00  
Applicant's Approved Discount Percentage: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.  
Technology Plan Approval Status: Approved  
Wave Number: 027  
Applicant Letter Date: 04/22/2003